

Amend **HB 681**, on third reading, by striking SECTION 3 of the bill and substituting the following appropriately numbered section:

SECTION _____. (a) Section 814.1021, Government Code, as added by this Act, applies only to a member of the Employees Retirement System of Texas who is or was a member of the state legislature or holds or has held a statewide elected office and:

(1) on the effective date of this Act is under indictment for a qualifying felony as defined by that section; or

(2) on or after the effective date of this Act, commits an offense that is a qualifying felony as defined by that section.

(b) A person who commits a qualifying felony before the effective date of this Act and who is not under indictment for a qualifying felony on the effective date of this Act is subject to the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose.

(c) For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.